

REMARKS/ARGUMENTS

At page 2 of the Office Action, the Examiner is requesting that the applicant elect a species as follows:

At least one acetal or semi-acetal of an acyclic terpene compound (see claims 4-30). The applicant is required to elect a single species of acetal or semi-acetal of an acyclic terpene compound (see instant claims 4-25). Moreover, applicant is invited to pick the presence or absence of a "further comprising" acetal or semi-acetal of an acyclic terpene compound (see instant claims 26-30). If the applicant elects to include a "further comprising" component, the applicant will be required to elect a specific species for examination.

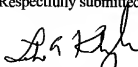
To be responsive, the applicant elects, with traverse, Structure 5a, as disclosed in claim 6, as the particular species of an acetal or semi-acetal of an acyclic terpene compound. The applicant further elects to include a "further comprising" component and elects Structure 52 as described in claim 28 or a mixture of Structure 52 and Structure 53 (as also recited in claim 28). It appears that at least claims 1-6 and 28 read on the elected species.

The applicant believes that the remaining species can be examined at this time since there appears to be no serious burden on the part of the Examiner to search the entire scope of the claims. This would be further confirmed by the EPO Search Authority examining all species, thus showing no burden. At a minimum, the Examiner should proceed with examination of the remaining species upon determining the patentability of the elected species.

If there are any fees due in connection with the filing of this response, please charge the fees to Deposit Account No. 50-0925. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such extension is requested and should also be charged to said Deposit Account.

U.S. Patent Application No. 10/533,218
Response to Election of Species Requirement dated March 6, 2009
Reply to Office Action of February 5, 2009

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'L. A. Kilyk', written in a cursive style.

Luke A. Kilyk
Reg. No. 33,251

Attorney Docket No. 3075-006
KILYK & BOWERSOX, P.L.L.C.
400 Holiday Court, Suite 102
Warrenton, VA 20186
Tel.: (540) 428-1701
Fax: (540) 428-1720